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09/306,189	05/06/1999	MICHAEL RICHARD COOPER	AT9-98-920	3131

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EXAMINER

ROMERO, ALMARI DEL CARMEN

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/306,189

Applicant(s)

COOPER ET AL.

Examiner

Almari Romero

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Amendment

1. This action is responsive to communications: Amendment filed on 9/19/02.
2. Claims 1-26 are pending in the case.

Response to Arguments

3. Applicant's arguments filed on 9/19/02 have been fully considered but they are not persuasive.

- A. Regarding applicant's remarks on page 3, 5th paragraph:

Referring to Claim 6, Applicant argues that this claim describes some of the steps of a dynamic translation program.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a dynamic translation program) is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

- B. Regarding applicant's remarks on page 4, 2nd paragraph, page 6, 2nd paragraph, page 7, 8th paragraph:

Referring to Claim 6, Applicant argues that Meltzer does not teach translating applications or programs.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., translating

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applications or programs) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

C. Regarding applicant's remarks on page 8, 4th paragraph:

Referring to Claims 1, 12, and 23, Applicant argues that there is neither reason nor suggestion for an association between the source code file and the document definition file being read on Meltzer and Day.

Meltzer on col. 79, lines 54-55: teaches parsing XML document (source code file) according to the document type definition which matches it (association).

D. Regarding applicant's remarks on page 9, 3rd paragraph:

Referring to claims 5, 16, and 24, Applicant argues that Meltzer and Day do not provide the necessary relationship between the DTD of Meltzer and the program of Day.

The DTD of Meltzer is an XML DTD (col.23, lines 38-60) in combination with Day (col. 8, lines 2-45) teaches JAVA Doc (source code statement) combined into the HTML (XML, col. 7, lines 19-20) for display.

Document Type Definition (DTD) can be an internal DTD (which is part of the XML file) or external DTD (which can be referenced with an identifier, keyword or URL).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Day into Meltzer to provide a way for displaying a JAVA Doc (source code statement) by combining the JAVA Doc into HTML or XML in order enhance the displayable output of the document.

Therefore, the claims stand rejected as follows:

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. **Claims 6-11, 17-22, and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Meltzer et al. (USPN 6,226,675 B1 – filing date: 10/16/1998).**

Regarding independent claims 6, 17, and 25, Meltzer discloses:

A method, data processing system, and computer program product on a computer readable medium for generating a markup language file, comprising:

executing an application program (Meltzer on col. 23, lines 17-60: teaches JAVA (application program));

parsing a document type definition file for a markup language (Meltzer on col. 23, lines 38-60: teaches parsing XML DTD);

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selecting an element defined in the document type definition file based on a routine called by the application program (Meltzer on col.23, lines 38-60: teaches element retrieved from XML DTD and col. 23, lines 17-60: teaches JAVA (application program)); and

writing the selected element to a markup language file (Meltzer on col. 23, lines 38-60: teaches producing an output by received XML element).

Regarding dependent claims 7 and 18, Meltzer discloses:

wherein the element comprises an attribute list corresponding to parameters for the routine (Meltzer on col.76, lines 33-67: teaches elements and attributes).

Regarding dependent claims 8 and 19, Meltzer discloses:

wherein the selected element written to the markup language file comprises an attribute list corresponding to values for the parameters passed to the routine (Meltzer on col.76, lines 33-67: teaches attributes values).

Regarding dependent claims 9 and 20, Meltzer discloses:

wherein the application program is written in Java programming language (Meltzer on col. 5, lines 1-19: teaches JAVA).

Regarding dependent claims 10 and 21, Meltzer discloses:

wherein the routine is an extended class method (Meltzer on col.76, lines 33-67: teaches JAVA classes, methods).

Regarding dependent claims 11 and 22, Meltzer discloses:

wherein the routine is a Graphics class method (Meltzer on col. 76, lines 33-67: teaches JAVA classes, methods).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-5, 12-16, 23-24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer et al. (USPN 6,226,675 B1 – filing date: 10/16/1998) in view of Day et al. (USPN 5,953,526 – filing date 11/10/1997).**

Regarding independent claims 1, 12, and 23, Meltzer discloses:

A method, data processing system, and a computer program product in a computer readable medium for processing a source code statement written in a programming language (Meltzer on col. 23, lines 38-60: teaches JAVA object), comprising:

parsing a document type definition file for a markup language (Meltzer on col. 23, lines 38-60: teaches parsing document type of XML format);

selecting an element defined in the document type definition file (Meltzer on col. 3, lines 28-45: teaches data typing of elements within XML document type definition DTD) based on an association between the element and an identifier of a routine in said source code statement (Meltzer on col. 23 lines 38-60 and col. 79, lines 54-55: teaches selected JAVA objects to proceed with the translation into XML and association between parsed XML document with document type definition).

writing the selected element to a markup language file (Meltzer on col. 23, lines 38-60: teaches elements of a document produces output and output is translated to the format of an output document).

Meltzer does not explicitly disclose, “parsing said source code statement from a source code file”. However, Day on col. 7, lines 24-50 and col. 8, lines 12-45: teaches parsing JAVA file to look for package statement.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Day into Meltzer to provide a way for parsing a statement from a JAVA file to be associated with the element from the document type definition in order to enhance the displayable output of the document.

Regarding dependent claims 2 and 13, Meltzer discloses:

wherein the source code statement comprises parameters for the routine and wherein the element comprises an attribute list corresponding to the parameters (Meltzer on col. 76, lines 33-67: teaches associating JAVA Bean with the elements and attributes from the DTD).

Regarding dependent claims 3 and 14, Meltzer discloses:

wherein the selected element written to the markup language file comprises an attribute list of values for the parameters passed to the routine (Meltzer on col.76, lines 33-67: teaches attributes values from XML DTD).

Regarding dependent claims 4 and 15, Meltzer discloses:

wherein the routine is a procedure, subroutine, function, method, class, or software object (Meltzer on col.76, lines 33-67: teaches JAVA Bean (JAVA classes, method)).

Regarding independent claims 5, 16, and 24, Meltzer discloses:

A method, data processing system, and computer program product on a computer readable medium for processing a markup language element, comprising:

parsing a document type definition file for the markup language (Meltzer on col. 23, lines 38-60: teaches parsing document type of XML format);

parsing a markup language element from a markup language file (Meltzer on col.23, lines 38-60: teaches parsing elements and attributes from XML);

selecting an element defined in the document type definition file that is equivalent to the markup language element from the markup language file (Meltzer on col.23, lines 38-60: teaches elements (selected) and attributes from XML DTD to be translated from the form of a JAVA object);

generating a source code statement using an identifier of a routine within the selected element (Meltzer on col. 23, lines 38-60: teaches selected JAVA objects to proceed with the translation into XML).

Meltzer does not explicitly disclose, "writing the source code statement to an output file". However, Day on col. 8, lines 2-45: teaches JAVA Doc combined into the HTML (XML, col. 7, lines 19-20) for display.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Day into Meltzer to provide a way for displaying a JAVA Doc (source code statement) by combining the JAVA Doc into HTML or XML in order enhance the displayable output of the document.

Regarding independent claim 26, Meltzer discloses:

A method of processing a source code statement written in a programming language, the method comprising the computer-implemented steps of:

parsing a grammar input file for a markup language (Meltzer on col. 23, lines 38-60: teaches parsing DTD of XML format);

selecting a language syntax construct defined in the grammar input file base on an association between the language syntax construct and an identifier of a routine in the source code statement (Meltzer on col.10, lines 29-45 and col. 79, lines 34-62: teaches XML syntax translation into JAVA Bean); and

writing the selected language syntax construct to a markup language file (Meltzer on col. 23, lines 38-60: teaches elements of a document produces output and output is translated to the format of an output document and col. 79, lines 34-62: teaches XML syntax).

Meltzer does not explicitly disclose, "parsing a source code statement from a source code file". However, Day on col. 7, lines 24-50 and col. 8, lines 12-45: teaches parsing JAVA file to look for package statement.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Day into Meltzer to provide a way for parsing a statement from a JAVA file to be associated with the element from the document type definition in order to enhance the displayable output of the document.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Romero whose telephone number is (703) 305-5945. The examiner can normally be reached on Mondays - Fridays (7:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AR
December 9, 2002


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